



THE CITY OF NEW YORK  
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December 28, 2016

**BY ECF**

The Honorable Kevin N. Fox  
United States Magistrate Judge  
Southern District of New York  
40 Foley Square  
New York, NY 10007

Re: Dana Grottano, et al. v. City of New York, et al.,  
15 Civ. 9242 (RMB)(KNF)

Your Honor:

Defendants City of New York and Joseph Ponte write to respectfully request a brief enlargement of their time to file an opposition to plaintiff's motion to compel from December 30, 2016 to January 6, 2017. This is the second request for the relief sought. Plaintiffs consent to the proposed enlargement, and plaintiffs' time to reply would thus also be extended to January 20, 2017.

The reason for the proposed enlargement is that the representative from DOI who will execute a declaration setting forth why the DOI investigation file should remain privileged is out of the office this week and will return next week.

As noted in our letter of December 14, 2016, the parties are next scheduled to appear for a status conference before Judge Berman on March 6, 2017. Thus, the proposed extensions would have no effect upon the existing discovery schedule.

Thank you for your consideration herein.

Respectfully submitted,

/s

Michael K. Gertzer  
Senior Counsel

cc: Via ECF

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